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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,412	04/10/2006	Philip Steven Newton	FR 030123	3707
24737 7590 10/17/2007 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			EXAMINER GIARDINO JR, MARK A	
			ART UNIT 4113	PAPER NUMBER
			MAIL DATE 10/17/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/575,412

Applicant(s)

NEWTON ET AL.

Examiner

Mark A. Giardino

Art Unit

~~2409~~ 4113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1-15 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 6 and 9 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

***Claim Objections***

Claim 6 is objected to because of the following informalities: the phrase "one of the following" implies a choice among two or more options, yet only "Burst Cutting Area" is listed. The examiner suggests removing the phrase "one of the following."

Claim 9 is objected to because of the following informalities: the phrase "additional data item" is grammatically incorrect, the phrase has been construed as "additional data items". Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 1, the phrase "the portion with an identification information" is unclear, and one of ordinary skill in the art would not be apprised of the scope of the invention. The examiner suggests using the phrase "the portion with identification information." The claim has been so construed.

***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 7, and 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Sprigg (US 2003/0061504).

Regarding Claim 1, Sprigg teaches a device comprising:

A local storage arrangement for storing a plurality of data items (119 in Figure 1);

A receptacle for receiving a removable storage carrier storing a software application (I/O Device 125, also see paragraph 0026 for removable carriers);

A storage management unit for allocating a portion of the local storage arrangement to the removable storage carrier and referencing a portion with identification information respecting respective access rights to a data item stored in the portion granted to the software application (paragraph 0013, also paragraph 0034, 0037, and 0038 for identification information).

Regarding Claim 2, Sprigg teaches all limitations of Claim 1, wherein the storage management unit comprises Application Programming Interfaces that control an access to the local storage arrangement (paragraph 0030).

Regarding Claim 3, Sprigg teaches all limitations of Claim 1, wherein the access rights include at least one of the following with respect to the data item:

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viewing, reading, executing, accessing, retrieving, deleting, writing, and saving (see Paragraph 0022, where applications may be denied access to other applications).

Regarding Claim 7, Sprigg teaches all limitations of Claim 1, wherein the identification information includes an identifier of the software application (see Paragraph 0038, where the name of the software application is used as the identifier).

Regarding Claim 11, Sprigg teaches all limitations of Claim 1, wherein the storage management unit causes one or more data items not comprised in the allocated portion to be hidden from the software application (paragraph 0039, also see Figure 3).

Regarding Claim 12, Sprigg teaches all limitations of Claim 1, wherein the portion comprises the item only (last two sentences of paragraph 0039).

Regarding Claim 13, Sprigg teaches all limitations of Claim 1, wherein the storage management unit grants no access rights to the software application with respect to other data items stored outside the allocated portion (paragraphs 0039 and 0040).

Regarding Claim 14, Sprigg teaches all limitations of Claim 1, wherein the storage management unit hides to the software application other data items stored outside the allocated portion (paragraphs 0039 and 0040).

Regarding Claim 15, Sprigg teaches a method for managing a local storage arrangement in a device comprising:

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Allocating a portion of the local storage arrangement to an optical storage carrier inserted in the device (see paragraph 0013, also see paragraph 0026 for removable carriers, among which the optical CD-ROM is listed);

Granting access rights to a software application stored on the carrier with respect to a data item stored in the portion (see Paragraph 0022, where applications may be denied access to other applications); and,

Including in the portion identification information respecting the access rights (see paragraph 0034, 0037, and 0038 for identification information).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprigg in view of Ayat (US 6,904,232) and Lee (US 6,414,920).

Regarding Claim 4, Sprigg teaches all limitations of Claim 1 as discussed above. However, Sprigg does not teach where the identification information includes an identifier of the removable storage carrier. Ayat teaches Burst Cutting Area information being read from an optical device to a host (Column 1 Lines 12-14 and Column 1 Lines 26-33, also see Figure 2B in Ayat). It would have been obvious at the time the invention was made to a person having

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ordinary skill in the art to which the subject matter pertains to have used this identification information for the information described in Claim 1. Lee provides the motivation when he states that by adding and using this information to a disc, one may obtain the benefit of a harder to duplicate disc (Column 1, Lines 15-23 in Lee).

Regarding Claim 6, the combined device meets all limitations of Claim 4, wherein the identification information is one of the following: Burst Cutting Area as described above.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sprigg, Ayat, and Lee as applied to Claim 4 and 6 above, and further in view of Comerford (US 4,577,289).

Sprigg and Ayat teach all limitations of Claim 4 as discussed above. However, they do not teach where the identification information includes a unique identification number associated with the removable storage carrier. Comerford teaches storing a unique key on an individual disk (Column 2 Lines 63-68 in Comerford). It would have been obvious to a person having ordinary skill in the art to which the subject matter pertains to have included this unique identification number in the identification information of Claim 1. As motivation, this will help prevent piracy, since a machine will be able to determine if a medium is an original or a copy (see Column 2 Lines 35-38 in Comerford). Thus, by combining the devices, additional benefits are obtained.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sprigg in view of Chang (US 5,724,425).

Sprigg meets all limitations of Claim 1 are discussed above. However, Sprigg does not teach where the identification information is a representative of a publisher of the removable storage. Chang teaches information representing the publisher of an application being sent to a host computer (Column 3 Lines 15-37 in Chang). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains to have used this information as the identification information in Claim 1. Chang provides motivation, since it provides a way "for authenticating that software distributed by a manufacturer is a legitimate copy of an authorized software release, and that the software contains only the original manufacturers code without tampering" (Column 3 Lines 1-5 in Chang). Thus, by combining the two devices, additional benefits are obtained.

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sprigg in view of Barnett (US 6,292,874).

Regarding Claims 9 and 10, Sprigg teaches all limitations of Claim 1 as discussed above. However, Sprigg does not teach the storage management unit further enabling the software application to store additional data items in the allocated portion. Barnett teaches segregating applications such that each has its own memory space, where data other than identification information is also stored in this space (Column 3 Lines 7-11 in Barnett, also see Figure 3 in



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Barnett). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains to have allowed applications to store additional data items. As motivation, allowing applications to store additional data on the computer allows for faster access time (by allowing the data be placed in a CPU cache or RAM) compared to reading all data from the removable storage carrier. Thus, by combining the devices, additional benefits are obtained.

The combined device also meets the limitations of Claim 10, since the size of each application is limited (Column 3 Lines 11-18 in Barnett).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Giardino whose telephone number is (571) 270-3565. The examiner can normally be reached on M-R 7:30 - 5:00. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Robertson can be reached at (571) 272-4186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

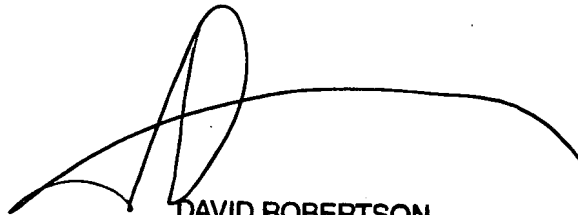
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A. Giardino



9/25/2007



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SUPERVISORY PATENT EXAMINER